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THE POLITICAL THEORY OF JEFFERSON.

NO name is more often or more intimately associated with American democracy than that of Thomas Jefferson. During his lifetime he was the American democrat *par excellence*, on his death he was politically canonized, and his words are still quoted with confidence and received with respect in the consideration of almost all political questions. Brought into prominence as the author of the Declaration of Independence, identified with the growth and triumph of the Republican party, inaugurated as its first president, framing its policies and providing its philosophy, Jefferson was undoubtedly the central figure in the early development of American democracy.

Yet, strange to say, there has been little effort made to analyze the political ideas of the Sage of Monticello or to ascertain his proper position in the development of political theory. There have been volumes of eulogy and of criticism upon his conduct, but a careful and adequate examination of his doctrines has not been made.¹ It is the aim of this paper, then, to set forth as clearly as possible the political theory of Jefferson, its content, its source and its place in the history of political speculation.²

Though regarded as the great advocate of American democracy, Jefferson bequeathed to posterity no systematic treatise on the principles of politics. His *Summary View* (1774) and *Notes on Virginia* (1782) are the nearest approach to this, and they can scarcely be considered an approximation.³ Moreover, he was not a great orator, and there is no collection of addresses

¹ For the life of Jefferson, see H. S. Randall's work in three volumes; also Morse's volume in the American Statesmen Series.

² References are to Ford's edition of Jefferson's writings (ten volumes) unless otherwise specified. The Washington edition contains some material not found in Ford, and *vice versa*.

³ See also Manual of Parliamentary Practice, Autobiography (to 1790) and The Anas (1791-1806).

in which his ideas are embodied. He was, however, a great correspondent; and we have a large collection of his letters, written to such persons as Madison, John Adams, Lafayette, Dupont de Nemours, Taylor, Kercheval, Johnston and others. From this extensive correspondence, in which topics of political theory frequently appear, together with some of his official papers, it is possible to reconstruct the theory of Jefferson, if not in minute detail, at least in general outline.¹

The first important statement of Jefferson's political theory is contained in the Declaration of Independence. Here are eloquently expressed the now familiar doctrines of human equality, of the natural and inalienable rights of man, of the guaranty of these rights as the first cause of government, and of the right and duty of revolution when they are subverted. These doctrines, it is perhaps needless to say, were not original with the writer of the Declaration. They were the common property of his time, were on the lips of every patriot orator and found copious expression in resolutions throughout the colonies. It was later charged that the substance of the Declaration had been "hackneyed in Congress for two years before."² Jefferson himself was fully conscious that the originality of the statements lay in their form, rather than in their content, and his own explanation of his work is excellent:

Neither aiming at originality of principle or sentiment, nor yet copied from any particular or previous writings, it was intended to be an expression of the American mind and to give to that expression, the proper tone and spirit called for by the occasion.³

Jefferson crystallized the common sentiment into a very effective form, but he could not and did not claim for himself the merit of presenting to the world a series of new or hitherto

¹ A useful classification of Jefferson's ideas on a great variety of subjects is made by J. P. Foley in *The Jeffersonian Cyclopædia*.

² Works, X, 267. This was alleged by Pickering and Adams, who also charged that "its essence was contained in Otis's pamphlet." R. H. Lee maintained that it was copied from Locke.

³ *Ibid.*, X, 343. Cf. X, 268: "I did not consider it as any part of my charge to invent new ideas altogether and to offer no sentiment which had ever been expressed before." — Letter to Madison.

undiscovered truths. This is not to say, however, that the authorship of the Declaration was not a signal distinction; it merely changes the category in which the distinction lay.

Inquiring more closely into Jefferson's theory of inalienable rights, we find him protesting against the idea that we surrender any of our natural rights on entering into society. Jefferson argued that these rights are not given up but, on the contrary, are rendered more secure.¹ He holds that the state should declare and enforce our rights, but should take none of them from us. Reasoning in this way, it is possible, he thinks, to mark out the proper sphere of state activity. Thus, as no man has a natural right to interfere with the rights of others, it is the duty of the law to restrain every one from such interference. Every man should contribute to the necessities of society; therefore the law should see that he does so. No man has a natural right to judge in his own cause; therefore the law must judge. Thus it appears that one does not lose his natural rights under government, but obtains a better guaranty of them.

Government is established, however, by the "consent of the governed," or at least a just government is so supported. What, then, is the nature of this consent, and how is it to be made effective amid constantly changing conditions? Jefferson was not satisfied with a contract made once and for all, like that of Hobbes, or with a merely hypothetical contract, or even with a presumption of tacit consent from the fact of residence. He looked upon the contract as a necessary foundation for legitimate government, and he considered that the agreement should have historical as well as logical validity. The principle of the social contract must be sacredly preserved in the life of the people, and Jefferson proposed two ways of insuring this end: first, by revolution; second, by periodical renewal of the agreement.

Revolution Jefferson did not regard with very great horror, if principle were involved in the process. He did not believe in government as something so sacred in nature as to be above

¹ Works, X (1816), 32 ff. Cf. Locke, *Two Treatises of Government*.

human criticism. He did not "look at constitutions with sanctimonious reverence and deem them like the ark of the covenant, too sacred to be touched."¹ Government appeared to him as an institution existing for the good of the governed; and if it failed to serve this purpose, then it might be overthrown and another erected on its ruins. So far did he go in this direction that the beneficent elements in government were at times almost lost to view. He declared his dislike of energetic government because it is always oppressive.² He was on one occasion doubtful whether the first state of man, without government, as he says, would not be the most desirable, if the society were not too large.³ He thought that republics should not be too severe in their treatment of rebellions, lest the free spirit of the people be suppressed. Rebellion, he argued, is a medicine necessary to the health of government, and its use must not be denied. It is wholesome, though bitter; or, using another figure, it clears the air like a thunderstorm.⁴ Shays' Rebellion in Massachusetts Jefferson regarded with great composure—even with complaisance. The motives of the rebels were good, he thought, though doubtless they were ill informed on the situation. Better, however, that they should take up arms than tamely submit to what they deemed oppressive; for, after all, it is not rebellion that destroys a republic, but the dull lethargy that creeps upon and paralyzes the public spirit: "God forbid, that we should ever be seventy years without such a rebellion." There have been, he continues, thirteen states independent for eleven years, and during this time only one rebellion. This amounts to one in 143 years for each state—by no means an excessive number. How is it possible for a country to preserve its liberties if the rulers are not occasionally warned of the existence of a spirit of resistance among their subjects? "What signify," he asks, "a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."⁵

¹ Works, X, 42.⁴ *Ibid.*, IV, 362.² *Ibid.*, IV, 479.⁵ *Ibid.*, IV (1789), 467.³ *Ibid.*, IV, 362.

The idea of adherence to the principle of the social contract finds a less violent expression in Jefferson's argument for periodical renewals of the agreement. Rebellion or revolution serves to keep alive the public spirit; but it acts through irregular and illegal channels, and hence is best adapted to countries where the government is tyrannically inclined. For a free state, however, there are other plans that may be followed, without passing outside the boundaries of the law. A convention, reconsidering the organic law of the land and submitting the result of its deliberations to the people, really constitutes, he maintains, a renewal of the fundamental agreement. In this way the "consent of the governed" may be again invoked, and the government reestablished on a just foundation. Each generation, such is the argument, has a right to establish its own law. "The earth belongs in usufruct to the living; the dead have neither powers nor rights over it."¹ It follows, then, that no generation of men can pass any law binding for a period longer than the lifetime of that generation, because their law-making power ceases with their existence. If one generation could bind another, the dead and not the living would rule. Since conditions change and men change, there must be opportunity for corresponding change in political institutions, and also for a renewal of the principle of government by consent of the governed.²

Having established this proposition, Jefferson proceeded to determine the exact period for which a law or a constitution might be considered as an expression of the will of the community. By the use of certain tables of M. de Buffon, he found that in any given society one-half of all those over twenty-one years of age will have passed away in eighteen years and eight months.³ Therefore, he reasoned, no society can make any constitution, law, or contract of binding force for any period longer than nineteen years. Hence, if the society is to adhere to the principles upon which just government

¹ Works, V, 115.

² Compare the theory of Thomas Paine, as discussed in *POLITICAL SCIENCE QUARTERLY*, XIV, 389 (September, 1899).

³ Works, V, 118-119.

is founded, there should be a revision of the fundamental law, or at least an opportunity for revision, every nineteen years. This plan was defended by Jefferson as a reasonable and practicable method of maintaining a free government in its integrity. "At first blush," said he, "it may be rallied as a theoretical speculation, but examination will prove it to be solid and salutary."¹ He urged that the first revenue law enacted by Congress should contain in its preamble a statement of this theory, and that the period for the granting of patents be limited to nineteen years; and he manifested much concern at Virginia's failure to adhere to the policy of periodical constitutional revision.

Such, then, were the two methods by which the consent of the governed might be made the constant basis of government — by periodical renewal of the contract, or, if this were impossible, by rebellion or revolution. Neither of these methods, however, was novel in political speculation when Jefferson propounded them. The idea of a "frequent recurrence to fundamental principles" was common to the time and was often expressed in the Revolutionary state constitutions;² while the plan for a revision of the constitution was not so radical as the provision actually made in Vermont and Pennsylvania for a Council of Censors and a septennial constitutional revision.³ Opportunity for periodical revision of the constitution is of course still found in some of our states, though the period of eighteen years and eight months is not always adopted.

Having considered Jefferson's theory as to the basis of the government, it is now in order to examine his position as to the various classes of government.⁴ What, then, was his

¹ Works, II, 123. See VI (Washington edition), 136, 197; VII, 15, 359. Madison's reply to Jefferson (in Madison's writings, I, 503-506) urges the debt owed by the living to the dead and advocates the doctrine of "tacit consent."

² Massachusetts (1780), sect. 16; Pennsylvania (1776), sect. 14; New Hampshire, sect. 38; North Carolina, sect. 21; Vermont, sect. 16.

³ See Jameson, *Constitutional Conventions*, sect. 544.

⁴ Works, IV, 362. Jefferson classified societies into three groups: (1) those destitute of government; (2) those in whose government the will of every one has a just influence; (3) those whose governments rest on force. — Letter to Madison (1787).

opinion of monarchy? The government of a king Jefferson regarded, at least in the earlier part of his life, with utter abhorrence. Though not the equal of Paine in the vigor of his invective against kings, he was but little inferior. He declared that "no race of kings has ever presented above one man of common sense in twenty generations."¹ Again: "There is not a crowned head in Europe whose talents or merit would entitle him to be elected a vestryman by the people of any parish in America."² Writing in 1810, he stated that, to his personal knowledge, Louis XVI was a fool; and in the same category were included the kings of Spain, Naples, Sardinia and Denmark and the queen of Portugal; while the successor to Frederick the Great he characterized as a mere hog.³ Moreover, he thought that if there were any efficient hereditary monarchies, their power would decay in the course of a few generations. Jefferson's favorite and perhaps most effective form of attack upon his opponents was to arouse the suspicion that they were at heart monarchists, longing for the restoration of royalty.⁴ In later years, however, after the failure of the European revolutions to establish democracy, he was inclined to concede that under certain conditions a monarchy might really be the most desirable form of government.⁵

The next point of inquiry is Jefferson's opinion of aristocracy. Judging from his famous utterance, "All men are created equal,"⁶ he is generally regarded as the great champion of human equality. Against this is sometimes urged the fact that the ownership of slaves is hardly in keeping with ideas of universal equality. It should not be forgotten, however, that Jefferson was really opposed to the institution of negro slavery and more than once went on record against it, as in his

¹ Works, IV, 426.

² *Ibid.*, V, 8.

³ *Ibid.*, V (Washington), 515.

⁴ In 1824 he said that he had charged the Federalists with adherence to the *forms*, that is, the ceremonies, of the British government, not with a desire to introduce the British *form*, *i.e.*, the monarchy. Works, X, 309-310.

⁵ See letter to Lafayette (1823) in Works, X, 279 ff. Cf. *infra*, p. 40.

⁶ It is perhaps needless to state that Jefferson did not originate this phrase. It is at least as old as the third century of our era: "Quod ad jus naturale attinet, omnes homines aequales sunt."—From Ulpian (died *ca.* A.D. 228) in Digest, L, 17, 32.

proposition for a Virginia constitution¹ (1776) and in the report on the "Government for the Western Territory" (1784).² Later in life he was forced to abandon his early hope that slavery would soon cease to flourish in America, yet he still believed in the ultimate extinction of slavery and declared (1814) that "the love of justice and the love of country plead equally for the cause of these people."³ He said that the hour of emancipation was advancing with the march of time and urged continual effort, "softly but steadily."

Aside from this point, however, it is easy to show that Jefferson was not at all a believer in the absolute equality of men.⁴ In this connection it is interesting to examine his correspondence with John Adams upon this very question of aristocracy. Adams denounced in set terms the theory of the equality of all men, declared that society is divided into two classes, "gentlemen" and "simplemen," and demanded the legal recognition of this difference in ability.⁵ Jefferson does not deny the existence of an aristocracy among men, but distinguishes between the *natural* aristocracy and the *artificial* aristocracy. One is based upon virtue and talent, the other upon wealth and birth. The "natural aristocracy" appears to him as the "most precious gift of nature," and highly useful for the purpose of instructing and governing society. He even goes so far as to say: "That form of government is the best, which provides the most effectively for a pure selection of these natural *aristoi* into the offices of government."⁶ The "artificial aristocracy," based on wealth and birth, is mischievous, even dangerous, and should not receive legal recognition.

¹ Works, II, 26.

² *Ibid.*, III, 429. "After the year 1800 of the Christian aera, there shall be neither slavery nor involuntary servitude in any of the said states otherwise than in punishment of crimes whereof the party shall have been convicted to have been personally guilty."

³ *Ibid.*, IX, 477 ff.

⁴ With the Declaration of Independence should be read Jefferson's proposed constitution for Virginia (1776), II, 7 ff. See also the propositions of 1783, 1794 and 1816.

⁵ "Defence of the Constitutions of Government of the United States," in Writings of John Adams, VI, 185.

⁶ Works, IX, 425.

In reply to Adams's proposition that the aristocracy should be represented in one legislative chamber and the people in the other,¹ he urged that the separation of the pseudo-aristocracy from the genuine should be left to the people themselves. Some mistakes will doubtless be made, but the really good and wise will generally be selected.² Jefferson, it may be said, believed in an aristocracy, but only in the sense that the best fitted for governing should rule, and that the selection of the *aristoi* should be made by the people, rather than on a basis of birth or wealth. He wanted aristocratic rulers democratically chosen. But, in this connection, it must be remembered that the democracy of his day was not the democracy of ours. As late as 1824, Jefferson estimated that a majority of the freemen in Virginia were excluded from the franchise,³ and there were many inhabitants who were not even freemen.

Having reviewed his ideas on monarchy and aristocracy, it now remains to consider Jefferson's idea of democracy. What was the theory of "Jeffersonian Democracy"? The doctrines of natural rights and the "consent of the governed" have already been examined; but, more specifically, what was his idea as to the characteristic features of a democratic government? This is not easy to determine; for, in the first place, his notions were never systematically and not always clearly expressed; and, in the second place, there are contradictions between his political theory and his practical politics. The theory of Jefferson, the political scientist, and the practice of Jefferson, the man of affairs, are not always free from inconsistency. An effort will be made here, however, to show as clearly as possible from the scattered sources at command what Jefferson's theory of democracy really was.

Jefferson defines a republic as "a government by the [its] citizens in mass, acting directly and personally, according to

¹ Writings of John Adams, IV, 379.

² Works, IX, 427. See Jefferson's explanation of the difference in opinion between Adams and himself.

³ *Ibid.*, X, 303. Cf. Ford, Rise and Growth of American Politics, ch. v; Thorpe, Constitutional History, I, ch. 7.

rules established by the majority.”¹ Governments are republican in proportion to the degree of direct action on the part of the citizens,² and there are of course many varying degrees. This is, however, only a very general statement and lacks definiteness of outline. One of the best supplementary statements is that found in Jefferson’s first inaugural address.³ Here are laid down the main principles which should obtain within a democracy. They include, among others, the following propositions: equal and exact justice; jealous care of the right of election by the people; the rule of the majority;⁴ the preservation of the guaranties of civil liberty, such as freedom of religion, freedom of the press, the habeas corpus and jury trial; the subordination of the military to the civil authority; and economical administration. In these phrases are summed up his democratic program, and under his type of government they would all be found in operation.

As a further means of determining what Jefferson’s idea of a democratic government was, we may examine his views on the executive, the legislative and the judicial powers.⁵ Jefferson favored a single executive, rather than a board. In his plan of a constitution for Virginia (1776) the chief executive was to be styled “administrator,” was to be elected annually by the legislature, to be ineligible three years in four, to possess no veto power and to serve without salary.⁶ But in 1783 he proposed that the governor be elected for five years, receive a salary and possess powers of a more substantial character than before.⁷ Jefferson had been governor in the interval

¹ Letter to Taylor, in Works, X, 28. See also letters to Dupont de Nemours, X, 22 ff.; to Judge Johnson, X, 226; and to Gerry, VII, 327.

² “Action by the citizens in person, in affairs within their reach and competence; in all others by representatives chosen immediately and removable by themselves, constitutes the essence of a republic.”—Letter to Dupont de Nemours, X, 24.

³ Works, VIII, 1 ff.

⁴ *Ibid.*, VIII, 4. “Absolute acquiescence in the rule of the majority, the vital principle of republics from which there is no appeal but to force.”

⁵ See the various propositions made by Jefferson for a Virginia constitution in 1776, 1783, 1794 and 1816.

⁶ Works, II, 17–18.

⁷ *Ibid.*, III, 325.

between the two propositions. He condemned (1787) the failure of the United States Constitution to limit the President to one term,¹ but later (1805) declared that "the service for eight years, with a power to remove at the end of the first four, comes nearly to my principles as corrected by experience."² Jefferson had been President in the meantime. The best commentary on his idea of the executive is given by his own exercise of the office, acting "as corrected by experience"; though it is possible that this is an overstatement, for he might have opposed the exercise by others of such powers as he himself wielded.

The democracy of Jefferson was satisfied with a bicameral legislature, but he was not anxious for the great predominance of the legislature that marked the early Revolutionary days. In his *Notes on Virginia* he sharply criticised the existing organization of the legislature in that state. He charged that "all the powers of government, legislative, executive and judicial, result to the legislature,"³ so that a genuine despotism was the outcome. It is no argument to say that these powers will be exercised "by a plurality of hands and not by a single one. One hundred and seventy-three despots would surely be as oppressive as one. An elective despotism was not the government we fought for."⁴ A true democracy must, to a certain extent, be represented by means of a legislature; but Jefferson was not carried away by the French idea of a unicameral legislature, exercising sovereign power as the representatives of the nation.⁵

The judiciary—the Federal judiciary—was an object of the greatest concern to him, although his anxiety may have been for the security of the federal system of government, rather than fear for the democracy, except so far as democracy

¹ Works, IV, 477; V, 77. He did not wish this provision to be changed during the incumbency of Washington, but hoped it would be corrected "the moment we can no longer have the same name at the helm."

² *Ibid.*, VIII, 339.

³ *Ibid.*, III, 224.

⁴ But a government so balanced "as that no one could transcend its legal limits, without being effectually checked and restrained by the others."—*Ibid.*

⁵ Franklin and Paine accepted this French idea.

and federalism were associated in his mind. The Supreme Court, especially with John Marshall at its head, aroused the darkest suspicion in Jefferson's mind. He compared the power of the court to the force of gravity, always tending in the same inevitable direction.¹ He likened its progress to that of a thief advancing over the field with noiseless step. He feared that the Federal judiciary would usurp the powers of the state courts and become the consolidated judiciary for the whole nation. He upheld, therefore, the right of the executive to an independent interpretation of the Constitution, as a check on the encroachments of the Supreme Court. He was also opposed to the independence of the judges; for impeachment he regarded as a mere scarecrow.² A safer method seemed to him to be the appointment of the judges for a term of four or six years, with confirmation of appointment by both houses of Congress. The judges should also be removable on address of both houses.³

Further evidence as to Jefferson's notion of democracy is given by examination of what he once termed the "two hooks" upon which republican government depends.⁴ These were an educational system and a system of local government. Keenly appreciating the necessity for popular intelligence as a basis for successful popular government, Jefferson was a constant advocate of all measures for the diffusion of knowledge among the masses. If government rests upon public opinion, he said, then our first and foremost care is to see that this opinion is kept right.⁵ Opinion that is unenlightened and unsound would be the death of free government. He once said that, if forced to choose between a government without newspapers

¹ Works, VII (Washington edition), 216, 223, 230, 256; X, 197, 225.

² *Ibid.*, VII (Washington edition), 256.

³ *Ibid.*, X, 198. For an account of Jefferson's attacks on the Federal judiciary, see McMaster, *History of the People of the United States*, III, 163 ff. Referring to a bill authorizing the incorporation of a copper-mine company in New Jersey, Jefferson says: "Following the pedigree of necessities, Congress are authorized to defend the country; ships are necessary for that defence; copper is necessary for ships; mines are necessary to produce copper; companies are necessary to work mines; and this is the house that Jack built."—VII, 446.

⁴ *Ibid.*, IX, 227.

⁵ *Ibid.*, IV, 360.

and newspapers without a government, he would not hesitate to choose the latter alternative, assuming that every man received the papers and were capable of understanding them. Jefferson exerted himself in behalf of educational institutions in his own state, and to his earnest efforts was largely due the establishment of the University of Virginia.¹

The second "hook" was local government. Referring to his experience at the time of the Embargo Act, Jefferson said: "I felt the foundations of the government shaken under my feet by the New England townships."² He recommended for Virginia a system of local government modelled quite closely after the New England type, to take the place of the "large and lubberly divisions into counties." "Wards" were to take charge of the elementary schools, to care for the poor and the roads, and to have a system of justices, constables and police.³ But the "ward" was merely one step in the scheme of governmental gradation which Jefferson had in mind. He conceived that liberty should be secured, not only by a tripartite division of governmental powers, but also by a further distribution among a series of organizations extending from ward to nation. First should come the elementary republics or wards, then the county republics, then the states and finally the nation. Governmental powers should be delegated "by a synthetical process to higher and higher orders of functionaries, so as to trust fewer and fewer powers in proportion as the trustees become more and more oligarchical."⁴ Local government would thus be made a part of the complicated "check and balance" system in the intricacies of which despotism would be entangled and rendered powerless.

Another feature in the Jeffersonian program should perhaps receive mention at this point, namely, the plea for the subordination of the military to the civil authority. He argued against a large standing army as a likely instrument of

¹ See Randall's *Jefferson*, III, 461.

² *Works*, VI (Washington edition), 544.

³ *Ibid.*, VII (Washington edition), 357; also V, 524.

⁴ *Ibid.*, VII (Washington edition), 543.

oppression. Absolute governments must depend upon force, but a free state, he held, should place its confidence in the good will of its citizens. So far as military power is necessary for purposes of defense, the need should be supplied by a well-disciplined militia. A standing army was associated with monarchical power. It was a part of the Republican policy to reduce the army and the navy to as low a footing as possible, and under Jefferson this was the line of conduct followed by the administration. In this way an alleged monarchical tendency was checked and at the same time the expenses of government were reduced, although the Embargo Act involved an exercise of power like that of a "consolidated government." The suppression of the military power was undoubtedly one of the features in the Republican plan for governmental regeneration — indeed, it has been urged that this was the real significance of the transition in 1801; but Jefferson did not present any very elaborate arguments upon the question, and it did not occupy a very prominent place in his political theory.¹

Thus far this inquiry has extended into Jefferson's definition of a republic and an examination of various features included in the program of such a government. Yet all these considerations fail to show what was the real essence of Jefferson's democracy. They reveal in part his policy, but his policy was never complete either in theory or in actual practice. That which gave life and color to all these measures for democratic reform was the article in Jefferson's political creed which must now be considered. The distinctive and characteristic feature of his doctrine is most clearly expressed in his correspondence with John Adams; here may be seen the real difference that divided these two great leaders, one the advocate of the "well-born," the other the apostle of democracy — their opinions characteristic of two great parties and of two great schools of political thought. This difference has already been indicated, but may here be better explained and more appropriately emphasized. Adams divided the

¹ Ford, *American Politics*, p. 113.

people into two classes, "gentlemen" and "simplemen." He declared :

We may appeal to every page of history . . . for proofs irrefragable that the people, when they have been unchecked, have been as unjust, tyrannical, brutal, barbarous and cruel as any king or senate possessed of uncontrollable power.¹

Therefore,

All projects of government based upon a supposition of continual vigilance, sagacity, virtue and firmness of the people, when possessed of the supreme power, are cheats and delusions.²

He was consequently anxious for a balanced government of the most complex nature, including, as one of its elements, a legal recognition of the aristocracy. He appeared to doubt and distrust the capacity of the people for any high degree of self-government.

Against such a theory, Jefferson maintained that men are naturally divided into two classes :

1, those who fear and distrust the people; 2, those who identify themselves with the people, have confidence in them, consider them as the most honest and safe, although not always the most wise, depositories of public interests.³

In the opinion of the first class the masses must be held in check by physical and moral force, and can be restrained in no other way. The contention is that men are essentially incapable of ruling themselves and must be governed by authorities independent of their will and not subject to their judgment. But the second class, on the other hand, argues Jefferson, place their trust in popular capacity for self-government, maintaining that man is a rational animal and possesses a natural and innate sense of justice, and that for the preservation of peace and order he does not require restraint from above or outside, but is competent to choose his own rulers and hold them dependent on his will. The same idea as to the two classes of opinions is expressed in a letter to Dupont de Nemours, in which Jefferson says : " We both love the people, but you love

¹ Adams's Writings, VI, 10.

² *Ibid.*, VI, 166.

³ Works, VII (Washington edition), 376.

them as infants whom you are afraid to trust without nurses, and I as adults whom I freely leave to self-government.”¹

The essence, then, of Jefferson’s democracy was confidence in the self-governing capacity of the great mass of the people — a belief in the ability of the average man or of average men to select rulers who will conduct the administration in general accord with the interests of the society. The divergence of opinion just here made Adams an aristocrat and Jefferson a democrat — not that Adams had no confidence, or that Jefferson had all confidence, in the people, but the degrees of confidence differed widely. We might say that one looked with suspicion on the people first of all, the other distrusted first the government and after that the people. Both favored a balanced government; but Adams desired primarily to prevent violent action on the part of the people, whereas Jefferson’s first aim was to prevent oppression by the government; one reasoned that the people should be watched, the other that the government should be kept in constant view.² Confidence in the people was, therefore, the distinguishing characteristic in the *theory* of Jeffersonian democracy. In practice, however, the early “democracy” was aristocratic in the nature of its rule and continued to be so until the time of Jackson, when the democratic theory found a more complete expression in political institutions.

It must further be noted that Jefferson’s theory of democracy was by no means so doctrinaire as is often supposed. He did not argue that democracy was equally adapted to all times, places, conditions and peoples, as some have assumed. Confident of the ultimate triumph of democratic principles, he was not eager for their immediate and universal application. Nothing could be clearer than his statement that “the excellence of every government is its adaptation to the state of those who are governed by it.”³ The Sage of Monticello was not so blind

¹ Works, X, 23; one of the best of the statements of democratic principles.

² Jefferson once said to John Adams that one difference between their parties was in regard to the “improvability of the human mind.” — Works, IX, 387.

³ Letter to Dupont de Nemours, in Works, X, 22. Cf. also VIII, 127: “What is practicable must often control pure theory and the habits of the governed determine in great degree what is practicable.”

a devotee of democracy as to believe that civil and political liberty needed no firmer basis than a paper constitution. To Lafayette he said that liberty becomes, "with an unprepared people, a tyranny still of the many, the few or the one."¹ Again, he expressed doubt "whether the state of society in Europe can bear a republican form of government,"² and therefore advised "a hereditary chief strictly limited." The cause for the failure of the continental revolutions is discovered in the fact that "the mob of the cities, the instrument used for their accomplishment, debased by ignorance, poverty and vice, could not be restrained to rational action."³ Discussing American conditions, he comes to the conclusion that the Spanish-American states are not ready for republican institutions, since their experience "has disqualified them for the maintenance or even knowledge of their rights."⁴ Louisiana is not ready (1803) for the exercise of complete political liberty and is to be granted it "in proportion as we find the people there riper for receiving the first principles of freedom."⁵ Jefferson points out that in America economic conditions favor independence.⁶ Here every one owns property or is at least so well situated as to be interested in the maintenance of law and order. It seems then that

such men may safely and advantageously reserve to themselves a wholesome control over their public affairs and a degree of freedom which in the hands of the canaille of the cities of Europe would be instantly perverted to the demolition and destruction of everything public and private.

Elsewhere he remarks that the Americans will continue to be virtuous and retain their democratic form of government so long as they remain an *agricultural* people; but "when they get piled upon one another in large cities, as in Europe, they

¹ Works, IX (1815), 505.

² *Ibid.*, X (1823), 279: "A hereditary chief strictly limited, the right of war vested in the legislative body, a rigid economy of the public contributions and absolute interdiction of all useless expenses, will go far toward keeping the government honest and inoppressive."

³ *Ibid.*, VI (Washington edition), 227.

⁴ *Ibid.*, IX (1811), 322; also IX, 430, 435.

⁵ *Ibid.*, VIII, 275. Cf. Paine, to the same effect.

⁶ *Ibid.*, IX, 428; IV, 479.

will become corrupt as in Europe.”¹ In one instance he even goes so far as to say that the people here “would go on as well under an absolute monarch while our present character remains of order, industry and love of peace.”²

Jefferson believed fully in democracy and was confident of the ultimate triumph of the system, but he was too keen and careful an observer to think that all people were capable of adopting the American system in his day. This may not have been in harmony with his ideas on natural rights; but as he himself said, theory and practice are not always in accord, and “the habits of the governed determine in great degree what is practicable.”

Some interesting light is thrown on Jefferson's philosophy by noticing upon what systematic political theorists he was most dependent, and which of them in his opinion best expressed the true principles of political science. From the classical writings, Jefferson apparently derived little inspiration. Aristotle he knew,³ but thought of little value; and Plato's writings he considered as so much worthless “jargon.”⁴ The chief source from which Jefferson drew his inspiration is commonly supposed to have been the philosophers of the eighteenth-century democracy in France. It is often said that his head was turned by French ideas, that he was a “Rousseauist,” and that the speculative Jefferson was really a Frenchman. The extent of the French influence upon Jefferson was, however, far less than is generally supposed. Montesquieu and Rousseau, who might be presumed to have had a large share in determining his views, seem to have affected him very little. Montesquieu he held in no high esteem:

I am glad [he says] to hear of anything which reduces that author to his just level, as his predilection for monarchy and the English monarchy in particular has done mischief everywhere and here also to a certain degree.⁵

¹ Works, IV, 479.

² *Ibid.*, X, 31.

³ *Ibid.*, VII (Washington edition), 31.

⁴ *Ibid.*, IX, 462.

⁵ *Ibid.*, V (Washington edition), 535. Cf. VIII, 24.

Rousseau is not discussed or recommended for reading by Jefferson; nor do the latter's theories show as much resemblance to Rousseau's as to other French writers. Jefferson recommended Condorcet's *Esquisse d'un Tableau Historique des Progrès de l'Esprit Humain*, and probably obtained from this source his ideas on human "improvability." The only French work which he cites with enthusiasm is that of Destutt de Tracy, *Commentaire sur l'Esprit des Lois*. This volume he had translated (1811) into English, so that it might circulate freely in this country. He referred to Tracy's work as the "most precious gift the present age has received,"¹ "giving the most correct analysis of the principles of government which has yet been offered"; although he did not agree with all the theories contained in it, notably the doctrine of a plural executive.² But this work did not appear until long after the early and more radical period in Jefferson's life was over. The Declaration of Independence antedated it by thirty-five years, and Tracy himself had been influenced in no small degree by American publicists, as appears from his eulogy of our federal system of government. It is hence impossible to impute the paternity of Jefferson's ideas to this work.³ Indeed, it is unnecessary to go outside of the English theory of politics to find ample precedent upon which Jefferson might draw. In the English writers, particularly of the seventeenth century, are found revolutionary and democratic principles of the most decided character,⁴ anticipating not only Jefferson, but in large measure Rousseau himself. As I have indicated above, when Jefferson's rivals wished to detract from his fame as author of the Declaration, they could point to the substance of this instrument in the words of Locke; the ideas were the common property of the time — not borrowed from Rousseau, Montesquieu or Helvetius. Jefferson's theory followed a line of thought already marked out during the English revolution

¹ Works, IX, 305, 500.

² Letter to de Tracy, *ibid.*, IX, 305.

³ The commentary appeared first in America, and eleven years afterward in France (1822).

⁴ See G. P. Gooch, *English Democratic Ideas in the 17th Century*.

by Milton, Sidney and Locke, and taken up by colonial thinkers before Rousseau had begun to write.¹

When called upon for advice as to the best political literature, Jefferson recommended Locke and Sidney of the earlier writers, and of the later: Priestly's *Essay on the First Principles of Government*, Burgh's *Political Disquisitions*, Chipman's *Sketches of the Principles of Government*, *The Federalist*, which he once commended as "the best commentary on the principles of government which was ever written," and Tracy's *Commentaries*.² Jefferson was also an intimate friend of Thomas Paine, and there are many common points in their theory. In a letter to Paine he assured him that the Americans are

firm and unanimous in their principles of republicanism and there is no better proof of it than that they love what you write and read it with delight. The printers season every newspaper with extracts from your last, just as they did before from your first part of the *Rights of Man*.³

On the whole, it appears that, so far as the revolutionary character of his theory was concerned, Jefferson was little in advance, logically, of his predecessors. The difference between Jefferson and Locke, for example, was not so much in fundamental principles as in the development of and deductions from these principles. Jefferson and Locke were both democratic and revolutionary in theory, but Jefferson went farther than Locke in his advocacy of democratization of the government. Between the *Fundamental Constitutions* of Locke and the Jeffersonian program there was a wide difference. Locke's attitude toward the organization of the government was wholly aristocratic, while that of Jefferson was essentially democratic. They agreed in their destructive, but not in their constructive, program. Both were opposed to absolutism; but Locke

¹ "Political Ideas of the Puritans," *POLITICAL SCIENCE QUARTERLY*, VI, 1, 201.

² Works, IX, 71, 481. The list includes also Vattel and Rayneval on international law; Say, Smith, Malthus and Tracy in economics; and Coke, rather than Blackstone, who was infected with "Mansfieldism" (X, 376). See also his recommendations on history, ethics and philosophy in the same connection.

³ *Ibid.*, VI, 87.

feared, while Jefferson favored, the erection of a "numerous democracy."¹

In conclusion, what should be said of Jefferson's rank as a political theorist? The important service rendered by the Sage of Monticello was not the scientific elucidation of theory. The doctrines he advocated had all been discussed and developed long before his time, and he did not improve much on the classic argument of Aristotle, the reasoning of Locke or the brilliant logic of Rousseau. He cannot be classed as one of the great political thinkers. He did not inquire deeply into the nature of the state, its forms of organization or any of the numerous problems arising out of the complex relations of political association. He did not write systematically at all, and what he did write was notable rather because of its rhetoric than because of its scientific depth or clearness. Tested by the canons of the schools, Jefferson falls far short of the stature of a great political philosopher.

What, then, shall be said of this personality so preëminent in the annals of American democracy? What was the source of his power and what the significance of his career? One great cause of his power was the unusual sagacity and astuteness that made him a great party leader. With a "machine" that was ill organized, if organized at all, and with little patronage, Jefferson's political genius guided the Republicans on to the destruction of their rivals. Another source of his power was his singular gift for popular statement of popular ideas. He crystallized the common democratic sentiment, giving it form and power. He was great in his ability to interpret and express popular feeling. Another source of his power was his great confidence in the people. He believed in their capacity for self-government, had confidence in the soundness of their judgment and was hopeful of the future of democratic institutions. In spite of the many inconsistencies in his conduct, Jefferson stands out as the great apostle of the democratic faith in his day. He appeared as the advocate of the

¹ See, on the source of the ideas of colonial theorists, Lewis Rosenthal, "Rousseau in Philadelphia," *Magazine of American History*, XII, 46.

“people” against the claims of “monarchists” and “aristocrats.” He not only defended the people on theoretical grounds, but he was identified with a fairly definite program of democratic reform, a part of which he was successful in carrying out and much of which was realized later under the Jacksonian democracy. He stood for the extension of the suffrage, periodical revision of the constitution, religious liberty, subordination of military to civil authority, the maintenance of local governments as a barrier against excessive centralization, and for a certain democratic simplicity, in place of the elaborate ceremony of kings and courts. This was the framework of his political system, while the life and spirit of it was faith in the self-governing capacity of the people.

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